

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**RACHEL BROWN HEFFERNAN BRYANT,
KENNY BRYANT, ANTHONY BROWN,
CLEVELAND WOODROW OLIVER, JR.,
DAVID L. FRANKS, ALLIE EVERETT AND
ERIC THOMAS on Behalf of Themselves and
Others Similarly Situated**

PLAINTIFFS

VS.

NO. 1:13CV246-SA-DAS

**UNITED FURNITURE INDUSTRIES, INC.,
UNITED FURNITURE INDUSTRIES CA, INC.,
UNITED FURNITURE INDUSTRIES NC, LLC,
AND JOHN DOES 1-20, Individually**

DEFENDANTS

CONFIDENTIALITY ORDER

Pursuant to Rule 26(d) of the Federal Rules of Civil Procedure the Court hereby

ORDERS:

1. Any document or material deemed by any party to this action to remain confidential may be labeled or otherwise designated as confidential. If any other party objects to the designation of any document or other material as confidential, it is agreed that the party claiming confidentiality shall bring the matter before the Court for a determination of whether the document should be confidential. Such motion to declare the document confidential shall be made within ten days of being notified of the objection to its confidentiality. Such document will be treated as confidential until such time as the Court rules on its confidentiality.
2. Subject to the provisions of paragraph three hereof, confidential information may be disclosed only to the following persons:

- a. Attorneys of record and other attorneys participating or assisting in the handling of this action for any party, including partners and associates in any law firm appearing in record in this litigation, corporate or house counsel and all legal assistants, paralegals, secretarial and clerical employees under the supervision of such attorneys;
 - b. Stenographic reporters or court personnel engaged in proceedings necessarily incident to the preparation of trial of this action;
 - c. Experts who have been retained or employed by any party or its attorneys for the purpose of assisting the party or its attorneys in the trial or preparation for trial of this action; and
 - d. Witnesses in the course of examination at deposition or trial to the extent necessary for purposes of the examination.
3. Subject to the other provisions hereof, any party may mark any confidential materials as deposition or trial exhibits, as appropriate, and examine any witness thereon in deposition or trial, provided that the exhibits and related transcript pages receive the same confidentiality treatment as the original documents. Any confidential material used as deposition or trial exhibits shall remain confidential and the witness may not disclose it to anyone except as permitted by this order.
4. Except to the extent herein provided, no person shall make use of or disclose any information obtained in the course of this action, which has been designated as confidential, other than for purposes of this action, without further order of the court or stipulated by the parties. No person who has examined any documents designated as confidential or any material derived therefrom under the terms of the stipulation or

any court order relative thereto shall disclose any information contained therein to any person other than a person entitled to examine such materials under the terms hereof.

5. Upon final determination of this action, all counsel shall be under an obligation to receive and assemble from all persons or entities referred to in paragraphs 2(c) and 2(d) all documents or transcripts containing information properly designated as confidential. All copies of documents produced by any party properly designated as confidential shall be returned to counsel for that party within sixty days of the final determination of this action, and all of the notes, other than attorney's notes, memoranda or materials, containing or paraphrasing such information shall be destroyed.
6. This order shall not in any way constitute a waiver of the right of any party to raise or assert any objection which may hereafter be raised or asserted, including but not limited to defenses or objections with respect to the use, relevance or admissibility of any material designated as confidential or the contents thereof.

SO ORDERED AND ADJUDGED, this the 2nd day of February, 2015.

/s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE

APPROVED:

BY: /s/ W. Howard Gunn
W. HOWARD GUNN, MB# 5073
COUNSEL FOR PLAINTIFFS

BY: /s/ John S. Hill
JOHN S. HILL, MB# 2451
COUNSEL FOR DEFENDANTS